## OWNER'S AFFIDAVIT

STATE OF ARIZONA §
COUNTY OF COCHISE §

The undersigned, being duly sworn, deposes and says:

- 1. The undersigned is the President of RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC ("**RRCH #2**"), the owner of all that certain real property described in the Special Warranty Deed from Sovereign Bank, N.A., as grantor to RRCH, dated December 18, 2012, and attached to this Affidavit as Exhibit "A" (the "**Property**").
  - 2. The Property is owned by RRCH #2 as of the date of this Affidavit.
- 3. RRCH #2 has determined that an Assurance Agreement, dated January 25, 2011, and entered into among, Pioneer Title Agency, Rio Corte Lender LLC and Cochise County encumbers the Property ("Assurance Agreement").
- 4. RRCH #2 has, also, determined that the Property has been platted into parts of various lots subject to the Assurance Agreement in a plat filed of record on October 25, 2007 in Book 15, Page 86 of the Maps and Plats Records of Cochise County, Arizona (the "Plat").
- 5. The undersigned has the authority to execute all instruments related to the ownership of the Property on behalf of RRCH #2.
- 6. The undersigned represents that RRCH #2, as the current owner of the Property, desires that the Property be released from the Assurance Agreement and the Plat and acknowledges that RRCH #2 does not wish to develop the Property in accordance with the terms of the Assurance Agreement and the Plat.
- 7. This affidavit is given to induce Cochise County to release the Property from the Assurance Agreement and the Plat.

FURTHER AFFIANTS SAYETH NOT.

[Remainder Of Page Left Blank - Signature Page To Follow]

EXECUTED and sworn to effective this \_\_\_\_\_\_ day of November, 2013.

RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC, a Texas limited liability company

By:

Its:

STATE OF TEXAS

§

COUNTY OF DALLAS

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SUBSCRIBED AND SWORN TO ME, the undersigned authority, by the said Avery Lower as President of RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC, a Texas limited liability company, on behalf of said company, to certify which, witness my hand this \_\_\_\_\_ day of November, 2013.

DOROTHY GREEN
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 4/28/15

Notary Public, State of Texas

# EXHIBIT "A" COPY OF SPECIAL WARRANTY DEED

2012-29331
Page 1 of 4
Requested By: Simplifile Lc E-Recording
Christine Rhodes - Recorder
Cochise County , AZ
12-28-2012 12:48 PM Recording Fee \$9.00

RECORDATION REQUESTED BY: SURETY LENDER SERVICES I EAST STOW ROAD MARLTON, NJ 08053

SEND TAX NOTICES TO: RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC 3643 MAPLE AVENUE, SUITE 190 DALLAS, TEXAS 75219

FOR RECORDER'S USE ONLY

## SPECIAL WARRANTY DEED

SEE ATTACHED EXHIBIT "A" HERETO AND MADE A PART HEREOF

APN: 104-27-200-00-3

Property Address: 10128 EAST RIO CORTE LOOP, HEREFORD, AZ 85615

Grantor, for itself and its heirs, hereby covenants with Grantee, its heirs, and assigns, that Grantor is lawfully seized in fee simple of the above-described premises; that it has a good right to convey; that the premises are free from all encumbrances; that Grantor and its heirs, and all persons acquiring any interest in the property granted, through or for Grantor, will, on demand of Grantee, or its heirs or assigns, and at the expense of Grantee, its heirs or assigns, execute and instrument necessary for the further assurance of the title to the premises that may be reasonably required; and the Grantor and its heirs will forever warrant and defend all of the property so granted to Grantee, its heirs, against every person lawfully claiming the same or any part thereof.

WITNESS the hands and seal of said Grantors this 18 day of December, 2012.

SOVEREIGN BANK, N.A., FORMERLY KNOWN AS	SOVEREIGN BANK
By: Jugel Hix  Name: Jussel L Hix  Title: Assy. V.P.	S21.CZ SELCA
State of Pennsylvania )  SS.  County of Berks )	
On this 18th day of December, 2012, before me, Jernif said State, personally appeared Russel J. Hix me to be the Auto V.P. of SOVE KNOWN AS SOVEREIGN BANK, a National Banking Abehalf of said Association and acknowledged to me that such	REIGN BANK, N.A., FORMERLY Association, that executed the instrument on
	Scary Public  My Commission Expires: 21-5/16



#### Title No SUR-39452SL-RA

#### LEGAL DESCRIPTION

## EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Cochine, STATE OF Arizona, AND IS DESCRIBED AS FOLLOWS:

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF ARIZONA, COUNTY OF COCHISE, CITY OF HEREFORD, AND IS DESCRIBED AS FOLLOWS;

PARCEL I A PORTION OF THE PARCEL OF LAND DESCRIBED IN INSTRUMENT RECORDED IN NO. 9604-09701 RECORDS OF COCHISE COUNTY, ARIZONA, SAID PARCEL BEING A PORTION OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 22 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID RECORDED PARCEL OF LAND;

THENCE S 00 DEGREES 03 MINUTES 21 SECONDS E ALONG THE WEST LINE OF SAID PARCEL 125:00 FEET TO A POINT;

THENCE N 90 DEGREES 00 MINUTES 00 SECONDS E, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 417.42 FEET;

THENCE SOUTH 00 DEGREES 03 MINUTES 21 SECONDS EAST A DISTANCE OF 417.42 FEET;
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 417.42 FEET;
THENCE SOUTH 90 DEGREES 03 MINUTES 21 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 417,42 FEET TO THE POINT OF BEGINNING.

# PARCEL II

A 60.00 FOOT PRIVATE EASEMENT FOR INGRESS AND EGRESS AND UTILITIES LYING IN A PORTION OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 22 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE N 00 DEGREES 02 MINUTES OL SECONDS W ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 1354.00 FEET TO A POINT;

THENCE S 89 DEGREES 58 MINUTES 00 SECONDS E A DISTANCES OF 1490.81 FEET TO THE POINT OF BEGINNING OF SAID 60.00 FOOT PRIVATE EASEMENT FOR INGRESS AND EGRESS AND UTILITIES, THE SIDELINES LYING 40.00 FEBT TO THE RIGHT AND 20.00 FEBT TO THE LEFT OF THE FOLLOWING DESCRIBED

LINE; THENCE S 00 DEGREES 17 MINUTES 16 SECONDS W, A DISTANCE OF 240.00 FEET TO THE POINT OF TERMINUS.

# PARCEL III

A 40.00 FEET PRIVATE EASEMENT FOR INGRESS, EGRESS AND UTILITIES EXISTING IN A FORTION OF SECTION 17, TOWNSHIP 23 SOUTH RANGE 22 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN COCHISE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17;

THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 17,

A DISTANCE OF 2414.31 PEET; THENCE SOUTH 89 DEGREES 52 MINUTES 11 SECONDS EAST, A DISTANCE OF 1087 FEET;

THENCE NORTH 0 DEGREES EAST A DISTANCE OF 417.42 FEET;

THENCE NORTH 90 DEGREES EAST A DISTANCE OF 417.42 FEET TO A POINT;

THAT POINT BEING THE TRUE POINT OF BEGINNING OF SAID 40.00 FOOT PRIVATE BASEMENT FOR

INGRESS, EGRESS AND UTILITIES, THE SIDELINE LYING 40.00 FEET TO THE RIGHT OF THE FOLLOWING DESCRIBED LINE:

THENCE SOUTH 0 DEGREES 0 MINUTES 0 SECONDS WEST, A DISTANCE OF 1725.56 FEBT TO THE POINT OF TERMINUS.

## PARCEL IV

A 40.00 FEET PRIVATE EASEMENT FOR INGRESS AND EGRESS EXISTING IN A PORTION OF SECTION 17, TOWNSHIP 23 SOUTH RANGE 22 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OK THAT PARCEL OF LAND AS RECORDED IN FEE NO. 9605-11805, OFFICIAL RECORDS COCHISE COUNTY, ARIZONA; THENCE NORTH 89 DEGREES 52 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL A DISTANCE OF 1219.17 FEET TO A POINT; THAT POINT BEING THE TRUE POINT OF BEGINNING OF SAID 40.00 FOOT PRIVATE EASEMENT FOR INGRESS AND EGRESS, THE SIDELINE LYING 40,00 FEET TO THE RIGHT OF THE FOLLOWING DESCRIBED LINE:

THENCE SOUTH 0 DEGREES 0 MINUTES 0 SECONDS WEST A DISTANCE OF 1137.16 FEET TO THE POINT OF TERMINUS.

#### PARCEL V

A 40.00 FOOT EASEMENT FOR INGRESS AND EGRESS EXISTING IN A PORTION OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 22 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 3969.83 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES 11 SECONDS EAST A DISTANCE OF 2724.51 FEET SAID BEING THE NORTHEAST CORNER OF THAT PARCEL OF LAND AS CREATED IN DOCUMENT NO. 9605-11805,

RECORDS OF COCHISE COUNTY, ARIZONA; SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING OF SAID 40.00 FOOT EASEMENT FOR INGRESS, EGRESS, THE SIDELINE LYING 40.00 FOOT TO THE LEFT OF THE FOLLOWING DESCRIBED LINE: THENCE NORTH 89 DEGREES 52 MINUTES 11 SECONDS WEST A DISTANCE OF 1934.51 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST S DISTANCE OF 29600 FEET TO THE POINT OF TERMINUS.

### PARCEL VI

A 40.00 FOOT EASEMENT FOR INGRESS, EGRESS AND UTILITIES EXISTING IN A PORTION OF THE SAN RAFAEL DEL VALLE PRIVATE LAND GRANT, AS GRANTED BY THE PATENT RECORDED NOVEMBER 21, 1903 IN BOOK 23 OF DEEDS PAGE 140; AND ALL THAT PORTION OF SECTION 17, TOWNSHIP 23 SOUTH, RAFECLE EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 17; THENCE NORTH 0 DEGREES 02 MINUTES 01 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 1323,37 FEET:

THENCE SOUTH 89 DEGREES 52 MINUTES 11 SECONDS EAST A DISTANCE OF 2724.51 FEET TO THE POINT OF BEGINNING OF SAID 40.00 FOOT EASEMENT FOR INGRESS, EGRESS AND UTILITIES, THE SIDELINE LYING 40.00 FEET TO THE RIGHT OF THE FOLLOWING DESCRIBED LINE:

THENCE CONTINUE SOUTH 89 DEGREES 52 MINUTES 11 SECONDS EAST A DISTANCE OF 271.57 FEET;

THENCE NORTH 13 DEGREES 42 MINUTES 06 SECONDS WEST, A DISTANCE OF 1028.45 FEET;
THENCE NORTH 13 DEGREES 31 MINUTES 27 SECONDS WEST, A DISTANCE OF 336.27 FEET TO A POINT;
THENCE NORTH 13 DEGREES 10 MINUTES 39 SECONDS WEST A DISTANCE OF 501.76 FEET TO THE POINT OF TERMINUS ON THE CENTERLINE OF EXISTING HEREFORD ROAD.

THE SIDELINE OF SAID 40.00 FOOT EASEMENT TO MEET AT ANGLE POINTS AND THE CENTERLINE OF EXISTING HEREFORD ROAD.

Parcel ID: 104-27-200-00-3

Commonly known as 10128 East Rio Corte Loop, Hereford, AZ 85615 However, by showing this address no additional coverage is provided

# AFFIDAVIT AS TO LIEN(S)

STATE OF ARIZONA §
COUNTY OF COCHISE §

The undersigned, being duly sworn, deposes and says:

- 1. The undersigned is the President of RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC ("RRCH #2"), the owner of all that certain real property described in the Special Warranty Deed from Sovereign Bank, N.A., as grantor to RRCH, dated December 18, 2012, and attached to this Affidavit as Exhibit "A" (the "Property").
- 2. To the current actual knowledge of the undersigned, there are no mortgages, deeds of trust or other security interests outstanding against the Property.
- 3. To the current actual knowledge of the undersigned, there are no other liens or assessments outstanding against the Property, other than any current assessment for taxes.
  - 4. The undersigned has the authority to execute this Affidavit on behalf of RRCH #2.
- 5. This affidavit is given to induce Cochise County to release the Property from the Assurance Agreement and the Plat.

FURTHER AFFIANTS SAYETH NOT.

EXECUTED and sworn to effective this \_\_\_\_\_ day of November, 2013.

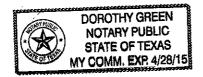
RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC, a Texas limited liability company

Name:

Its:

STATE OF TEXAS §
COUNTY OF DALLAS §

SUBSCRIBED AND SWORN TO ME, the undersigned authority, by the said as President of RESIDENTIAL RECOVERY CAPITAL HOLDINGS #2, LLC, a Texas limited liability company, on behalf of said company, to certify which, witness my hand this \_\_\_\_\_\_ day of November, 2013.



Notary Public, State of Texas